

**From:** Chris nelson  
**To:** Microsoft ATR  
**Date:** 12/14/01 11:52am  
**Subject:** Microsoft settlement

To Whom It May Concern,

I am very disturbed at the prospect of the proposed settlement of the Microsoft anti-trust action going into effect. In my work as an aerospace engineer I am exposed to the negative effects of the Microsoft monopoly on a daily basis. The hassle caused by substandard software quality, incompatible interfaces, poor security, and undocumented formats is a present reality, not a theoretical abstraction, for me.

I had hoped that, after all the time and money spent pursuing the case, after having convicted Microsoft of illegally maintaining their monopoly, and after the conviction had been sustained by the appeals court, that Microsoft would actually be facing punishment for its misdeeds. Instead, the current settlement would seem to set the fox in charge of guarding the coop, with the promise that he won't take any more chickens- unless he decides that he really needs to. How does this settlement even pretend to penalize Microsoft for the things they have been convicted of doing? In many ways, it would appear that this settlement actually improves Microsoft's position as a monopoly.

In my opinion, a just settlement (one designed to limit Microsoft's ability to repeat its misdeeds) should include:

1) Microsoft's operating system API should be released to the public. Not just some of it, but all of it- especially the parts dealing with security. How is one to write a secure program in a Windows environment if Microsoft is obfuscating the API? Further, this release should truly be made to the public, not just to the companies that Microsoft deems significant enough to warrant it.

2) Microsoft's document formats should be made public (as above, I mean by this "released to anyone who is interested"). This would allow competitors to write products which can seamlessly access documents produced in Microsoft applications and restore much-needed competition in this area (which is one of the prime leverage points that Microsoft uses to preserve its monopoly).

3) Microsoft software should be prohibited from being bundled with hardware purchases. While one would not want to stop people from buying their products at the same time that they purchase a computer, they should be a separate line item with a price tag attached to it. In this fashion, the myth that Microsoft operating systems come "free" with a computer would be dispelled, and, if the price was not right, then people would be able to evaluate other alternatives. In addition, those

who never wanted to buy a Microsoft product with their new system would not be forced to pay the so-called "Microsoft Tax" as they usually are now.

4) Microsoft should be required to make it's operating system available to hardware manufacturers and resellers according to an openly published price schedule with uniform terms and conditions and a common date of availability. This would prevent recurrence of the blackmail strategies in which Microsoft withheld an operating system from a vendor (or made it available at a significantly higher price than competitors were paying) until the vendor complied with Microsoft's demands regarding competing products.

A settlement with the above points would truly work toward the elimination of the stranglehold currently held by Microsoft in the arena of operating system and office productivity software. Accomplishing this would, in the end, benefit everyone in the nation as competition resulted in better products at lower prices. Indeed, virtually the entire world would benefit from it.

Sincerely,

Dr. Chris Nelson

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